

STATE OF HAWAII
REQUEST FOR EXEMPTION FROM CHAPTER 103F, HRS

To: Chief Procurement Officer

From: Department of Health/Child and Adolescent Mental Health Division **4 MAR 12 A9:01**
Department/Division/Agency

Pursuant to § 103F-101(a)(4), HRS, and Chapter 3-141, HAR, the Department requests a procurement exemption to purchase the following:

Title and description of health and human service(s):

Pursuant to § 334-104, the Hawaii Revised Statutes (HRS), the Department of Health is responsible for a system that allows clients to move to "the most appropriate, least restrictive level of service." This exemption request is for a juvenile sex offender youth needing individualized wrap-around services while the youth transition to a lesser restrictive placement with the goal of eventually returning back into the community. The youth has been living in a lock down specialized treatment facility for a number of years, and is now ready to be placed in a lesser restrictive placement. The goal of the individualized wrap-around services is to maintain improvements while ensuring the safety of the youth and the community. Currently, there is no residential level of care available with the appropriate intensity level to meet all of the needs of this youth. The individualized wrap-around services require twelve (12) additional hours per day of specialized services for the initial 3 months, and the possible reduction of individualized services based on clinical assessment and evaluation of risk and the youth's therapeutic progress.

Provider Name: Catholic Charities of the Diocese of Honolulu	Total Contract Funds: \$91,583.00	Term of Contract: From: To: March 15, 2004 June 30, 2005 DATE OF APPROVAL (3/18/04)ms
Provider Address: 200 N. Vineyard Honolulu, HI 96817	Contract Funds per Year (as applicable).	

Explanation describing how procurement by competitive means is either not practicable or not advantageous to the State:

This request for exemption is to maximize the safety of the youth from re-offending by using individualized wraparound services while the youth transition into an independent living program. The treatment team had determined that a lesser restrictive level of care is appropriate provided that individualized wraparound services are used to ensure the safety and success of the transition and treatment. Prior to this exemption request, the Treatment Purchases of Service for health or social work professional was considered and it does not include this level of treatment on the list. The time it takes to plan, procure and contract, and to operationalize a licensed treatment facility for this youth will take too long for it to be therapeutically beneficial. Any delay will only impair the youth's ability to progress in becoming a functioning member of the community. Given the unique needs and situation of this youth, the ability to anticipate and contract for this intensity level of service was not possible. The unique program features are 24/7 supervision of youth movement, one-to-one escort when leaving the residence to attend community college, and psycho-educational activities (i.e. appropriate dating skills, sexuality, and life skills). Because 24/7 supervision and one-to-one escort outside the residence are required, the individualized wrap-around services must be integrated within an agency to maintain continuity of care when the youth move between inpatient and outpatient services, and to ensure protection of health information in compliance with Health Insurance Portability and Accountability Act (HIPAA). Additionally, because of the difficulties of finding a qualified agency with experience in treating juvenile sex offender and managing a licensed specialized treatment facility, procurement by competitive means is neither practical nor advantageous to the State.

STATE OF HAWAII
REQUEST FOR EXEMPTION FROM CHAPTER 103F, HRS

Details of the process or procedure to be followed in selecting the service provider to ensure maximum fair and open competition as practicable:

During the release of the most recent Request for Proposals (March 2002) for the provision of intensive mental health services, all applicants were given the opportunity to proposed for Community-Based Residential Program (CBR) - High Risk Level II. Catholic Charities of the Diocese of Honolulu and one other agency proposed and were awarded contracts to provide CBR - High Risk Level II. However, at the start of fiscal year 2004, the other agency did not to renew its contract for CBR - High Risk Level II services.

The intensity of the individualized wrap-around services are beyond the requirements of the contracted Interagency Performance Standards and Practice Guidelines for the Community-Based Residential Program services. The unique program features are 24/7 supervision of youth movement, one-to-one escort when leaving the residence to attend community college, and psycho-educational activities.

The decision to use Catholic Charities of the Diocese of Honolulu was made through a treatment team after evaluating the results of previous placement, and the qualifications and expertise of existing providers to meet the unique needs of this youth. Because 24/7 supervision and one-to-one escort outside the residence are required, the individualized wrap-around services must be integrated within an agency to maintain continuity of care when the youth move between inpatient and outpatient services, and to ensure protection of health information in compliance with Health Insurance Portability and Accountability Act (HIPAA).

A description of the state agency's internal controls and approval requirements for the exempted procurement:

The Child and Adolescent Mental Health Division (CAMHD) Chief reviews and approves the exemption request. The request is then approved by the Director of Health before submission to the Administrator of the State Procurement Office for authorization.

A list of state agency personnel, by position title, who will be involved in the approval process and administration of the contract:

Chiyome Leinaala Fukino, M.D., Director
Michelle R. Hill, Director for Behavioral Health
Christina M. Donkervoet, Division Chief
T. Orvin Fillman, Public Health Administrative Officer

TCF

Direct questions to (name & position):
Orvin T. Fillman, Public Health
Administrative Officer

Phone number:
733-8370

e-mail address:
tofillma@camhmis.health.state.hi.us

This exemption should be considered for list of exemptions attached to Chapter 3-141, HAR: Yes ☐ No ☐

I certify that the information provided above is to the best of my knowledge, true and correct.

Chiyome Leinaala Fukino
Department Head Signature

Chiyome Leinaala Fukino, M.D.
Typed Name

3/10/04
Date

Director of Health
Position Title

STATE OF HAWAII
REQUEST FOR EXEMPTION FROM CHAPTER 103F, HRS


Chief Procurement Officer's Comments:

Approval is from date of approval.

Please ensure adherence to applicable administrative requirements.

☒ Approved

☐ Denied


Chief Procurement Officer

3/18/09
Date

cc: Administrator
State Procurement Office